### THE SUPREME COURT OF INDIANA

# PROBATION QUARTERLY REPORTS

**Application Guide** 

## DIVISION OF STATE COURT ADMINISTRATION 4/20/2016



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### **Probation Consolidation**

Since January 1, 2012, probation departments are to report as one probation department unless you had a prior separate juvenile department recognized as a separate department by the Indiana Judicial Center.

### **Comments Regarding Column and Line Entries**

In reporting supervisions in Parts I, II and III, the probation department is counting cases, not just persons. If a person is facing convictions/sentences/charges in multiple cases and is assigned to one probation department, the department reports each sentence, in the relevant column, on the relevant report(s). For example, if a person is charged and convicted with both a misdemeanor and a felony, the supervision assigned is reported on both the Adult Felony report and Adult Misdemeanor Report.

The probation department must report the supervision based on the offense with the highest degree for which the person was placed on probation. If a case is filed with felony charges but the conviction and sentence are on a lesser-included misdemeanor, the supervision should be reported on the Misdemeanor report if that is the offense with the highest degree of conviction on the case. Likewise, if the charging information on a misdemeanor case is amended to include additional felony charges, and the person is convicted and sentenced on the felony, the supervision should be reported on the Adult Felony report.

# ADULT FELONY AND MISDEMEANOR PROBATION OUARTERLY REPORTS

The matrixes on the traditional paper worksheets for Adult Felony and Adult Misdemeanor Probation Reports contain three parts, which are subdivided into supervisions, dispositions of supervisions, and status of pending supervisions.

### **Columns - Supervisions**

PART I: SUPERVISIONS										
	1	2	3	4	5	6	7	8	9	10
	Pre-Trial Supervision	Post-Sentence Supervision	Split-Sentence Supervisions	Inter-State Accepted	Intra-State Accepted	Supervision in Lieu of Prosecution	Judgment Withheld	Drug Court Supervision	Other (Specify)	Total Supervisions
A Supervisions Previously Pending	0	374	15	1	8	1,661	0	0	57	2,116
B New Supervisions Received	0	0	0	0	0	0	0	0	0	0
C Supervisions Re-opened	0	0	0	0	0	0	0	0	0	0
D Total Supervised Cases Before You	0	374	15	1	8	1,661	0	0	57	2,116

The categories designated in Part I, II, and III, Columns 1-10 are defined as follows:

### 1. Pre-trial Supervisions

Some courts order a defendant to be supervised by the probation department as a condition of the defendant's release on bail pending trial. This type of supervision should be entered in this column. This supervision is closed when the court renders the decision concluding the case. If the person is placed on probation as part of the sentence, a new supervision is opened.

### 2. Post Sentence Supervisions

The probation department will report in this category persons ordered under supervision after conviction and sentencing. Generally the Post-Sentence supervisions represent convictions where the entire sentence is suspended in favor of probation only. Also, when a person is given credit for time served

awaiting sentencing or trial, and only placed on probation, this category is used. Pursuant to Indiana Code 35-38-2.6-3, this category includes placement in a community corrections program as an alternative to commitment to the department of correction, subject to residential bed or home detention unit availability. When a convicted person is sentenced to a local facility, to be followed by probation, the probation department will report the supervision under Column 3 instead.

### 3. "Split-Sentence" Supervision

The probation department will report in this category those persons ordered under supervision after a commitment to the Indiana Department of Correction for a period of time, or commitment to a local facility. These cases should not be counted until the convicted person is released from the institution and is being supervised by the probation department. At the time the convicted person is released, the supervision is received by the probation department and reported on Line B. This category includes any sentence that is a combination of confinement and probation and almost always involves felony convictions rather than misdemeanors, although some misdemeanor convictions will result in split sentences. Probation departments should include those sentences that are for one year or more, before deducting for good time credit. Confinement facilities include the Department of Correction, Community Correction facilities, and rehabilitation units that are considered secure facilities. The key to this category is that the sentence involves a period of commitment in a secure facility, to be followed by probation. "Shock probation" should now be listed in this column. Shock probation is essentially a sub-category of a split sentence supervision since both involve a defendant serving a period of incarceration followed by a period of probation.

### 4. Interstate Accepted

If the probation department receives transfers of probationers through the Interstate Compact (from another state), the department will report those probationers in this column. When the probationer has completed probation or is otherwise removed from supervision in Indiana, the supervision will be disposed of on the appropriate line item.

### 5. Intrastate Accepted

If the probation department receives transfers of probationers through the Intrastate Compact (from another Indiana county), the department will report those probationers in this column. When the probationer has completed probation or is otherwise removed from supervision in the receiving county, the supervision will be disposed of on the appropriate line item.

### 6. Supervision in Lieu of Prosecution

If a court determines that probation is a better alternative rather than actual prosecution for a crime (generally misdemeanors), including some sort of court-ordered treatment, the probation department will report the supervision in this category. There must be a court order for this category to be used. Most counties use this category for their court-ordered diversion programs. Indiana Code 12-23-5-1 permits this type of supervision when the court "takes judicial notice of the fact that proper early intervention, medical, advisory, or rehabilitative treatment of the defendant is likely to decrease the defendant's tendency to engage in antisocial behavior."

### 7. Judgment Withheld

When the prosecutor and defendant have agreed to withhold judgment during a period of deferred prosecution, frequently the defendant is supervised by a probation officer. If your department supervises defendants while judgment is withheld based on an agreement with the prosecutor, report the supervision in this column.

### 8. Drug Court Supervision

Most Drug Courts have their own supervisors, appointed through the court. However, there are some Drug Courts that rely on probation officers to assist in the supervision of the defendants assigned to drug court as part of their probation. If your department assists the drug courts in supervising defendants assigned to drug court, report the supervision in this column. You may leave the column empty if your department does not supervise drug court assignments.

#### 9. Other

The probation department will report persons under supervision under circumstances not reflected in Columns 1-8. An explanation must be provided in the free form text field available on every online probation reporting section in ICOR.

### 10. Total Supervisions

(Add Columns 1-9): Columns 1-9 for each line entry are automatically tallied and updated by ICOR. The preparer should verify that the totals are accurate.

### Part I — Adult Supervisions

This Part includes the total supervisions assigned to the reporting probation office. The number includes previously pending, newly received supervisions, and supervisions re-opened. The total represents the number of supervisions the office had pending during the quarter.

PA	ART I - SUPERVISIONS
A.	Supervisions Previously Pending
B.	New Supervisions Received
C.	Supervisions Re-Opened
D.	Total Supervised Cases Before You (add lines A through C)

### Part I, Line A: Supervisions Previously Pending

The number of supervisions pending at the end of the previous quarter should roll to Line A. Previously pending supervisions are those supervisions that have not been closed, or inactivated before the end of the previous quarter. For the first quarter of each year, Line A will be available for editing if needed.

For the 2nd Quarter, the ICOR application will automatically carry forward the number of supervisions that are pending at the end of the 1st Quarter (Line K of the report) to automatically fill in Part I, Line A for you on the report for the 2nd

Quarter. This same process will take place for your 3rd and 4th Quarter reports. You have the ability to edit Line A in the first quarter only.

### Part I, Line B: New Supervisions Received

The number of "New Supervisions Received" during the quarter should be entered on Line B, under the appropriate category the probation supervision falls, as discussed above.

### Part I, Line C: Supervisions Re-Opened

The number of "Supervisions Re-Opened" during the quarter should be entered on Line C, under the appropriate category the probation supervision falls, as discussed above. On this line, the probation department should enter a supervision that had previously been reported as closed or inactive but the department has now resumed active supervision. For example, if the probationer had absconded, but he has now returned to your supervision, that should be reported on this line. Since 2008, interstate and intrastate transfers out are no longer considered inactive if a probationer transferred out in one quarter but in a later quarter returned, you would not enter that supervision on this line since his supervision would already have been counted on Line A as a supervision previously pending.

### Part I, Line D: Total Supervisions before You

ICOR will automatically add Lines A, B, and C for you and will enter the total on Line D, again under the appropriate category the probation supervision falls.

### Part II—Closed and Inactive Supervisions

When a person is released from probation, the type of disposition should be noted in the appropriate column. Not all dispositions close the file. Sometimes the probation file is inactivated for a period of time, as is discussed below.

PART II: CLOSED AND INACTIVE SUPERVISIONS										
	1	2	3	4	5	6	7	8	9	10
	Pre-Trial Supervision	Post-Sentence Supervision	Split-Sentence Supervisions	Inter-State Accepted	Intra-State Accepted	Supervision in Lieu of Prosecution	Judgment Withheld	Drug Court Supervision	Other (Specify)	Total Supervisions
E Discharged (Completed Probation)	0	0	0	0	0	0	0	0	0	0
F Revoked Because of a New Offense	0	0	0	0	0	0	0	0	0	0
G Revoked For Technical Violation Only	0	0	0	0	0	0	0	0	0	0
H Absconded and/or Warrant Active	0	0	0	0	0	0	0	0	0	0
Other Closed/Inactive     Supervisions (specify)	0	0	0	0	0	0	0	0	0	0
J Subtotal Closed/Inactive Supervisions	0	0	0	0	0	0	0	0	0	0
K Supervisions Pending	0	374	15	1	8	1,661	0	0	57	2,116

### Part II, Line E: Discharged (Completed Probation)

For the Adult Felony and Misdemeanor reports, the probation department should report a discharged probation supervision when the person has completed the term of probation. If the reporting probation department is conducting supervision as a courtesy county for another probation department within Indiana or outside, when the supervised person's probation is discharged in the sentencing county, it is counted on Line I, under Columns 4 or 5, rather than this Line. Use this line to report discharged probation for both successful and unsuccessful supervisions.

#### Part II, Line F: Revoked Because of New Offense

Entries on Line F represent supervisions where the supervised person's suspended sentence has been revoked because of a new offense. In order to count a closed supervision on this Line, the court must have signed a revocation order. If the revocation resulted from a new offense and a technical violation, only the new offense (Line F) should be counted. This category may also be used for those offenders who are arrested on a new offense while under "Supervision in Lieu of Prosecution" or Pre-trial supervision and subsequent charges are filed. If the reporting probation department is conducting supervision as a courtesy county for another probation department within Indiana or outside, when the supervised person's probation is revoked in the sentencing county, it is counted on Line I, under Columns 4 or 5, rather than this Line.

### Part II, Line G: Revoked for Technical Violation Only

Entries on Line G should be made when the supervised person is no longer under supervision due to revocation of the suspended sentence because of a technical violation (i.e., any violation of the terms of probation other than commission of a new offense). In order to count a closed supervision on this Line, the court must have signed a revocation order. This category may also be used for those offenders who fail to successfully complete "Supervision in Lieu of Prosecution" and are subsequently prosecuted on the original offense or for persons on Pretrial supervision whose bond is revoked and who are removed from pre-trial supervision. Examples of technical violations include failing a random drug screening test, leaving the jurisdiction without permission, possession of a weapon, et cetera. If the reporting probation department is conducting supervision as a courtesy county for another probation department within Indiana or outside, when the supervised person's probation is revoked in the sentencing county, it is counted on Line I, under Columns 4 or 5, rather than this Line.

### Part II, Line H: Absconded and/or Warrant Active

Entries on Line H represent those supervisions that have been inactivated because the supervised person has fled the jurisdiction, whether a bench warrant has been issued by the sentencing court or not. If the supervision is returned to the probation department, the supervision is reopened by entering the supervision under the appropriate category in Part I. Until such time as the warrant is executed or the probation is otherwise closed, the probation department may be required to maintain the file in its inactive status, depending on the court's directions. If the reporting probation department is conducting supervision as a courtesy county for another probation department within Indiana or outside, when the supervised person has absconded, with or without an active warrant, it is counted on this Line under Columns 4 or 5.

### Part II, Line I: Other Closed/Inactive Supervisions

Entries on Line I represent persons whose supervision is no longer active for reasons other than those reflected in Lines E through H above. Most frequently probation departments acting as courtesy departments for Intrastate or Interstate transferees will use Line I. When a probation department for another jurisdiction supervises a person, and the supervision is closed or otherwise

inactivated due to the above reasons, the courtesy probation department closes the case on Line I.

Line I is also used when the department determines that no more assistance is necessary for the supervised person, or is closed for lack of ongoing interest in the supervised person (i.e. a supervised person absconded at the end of his or her probation sentence and a determination is made to terminate his probation rather than revoke).

Examples of reasons for Line I entries include death of the supervised person, serving sentence in another state under a different conviction, incarcerated in another jurisdiction so probation supervision is no longer relevant.

### Part II, Line J: Subtotal Closed/Inactive Supervisions

ICOR will automatically calculate the totals of closed and inactive supervisions for each supervision category, adding Lines E through I.

### Part II, Line K: Supervisions Pending at End of Quarter

To arrive at the number of supervisions pending at the end of the reporting period, ICOR will subtract Line J from Line D, for each column. ICOR will do this for you automatically, so you don't have to manually enter data on this line. This number should be the number of cases on active probation at the end of the reporting period, and should represent the Line A entries for the following reporting period.

### Part III - Status on Pending Supervisions

This section provides greater detail on how the open supervisions reported in Part I are being handled by the probation department.

PART III: STATUS ON PENDING SUPERVISIONS										
	1	2	3	4	5	6	7	8	9	10
	Pre-Trial Supervision	Post-Sentence Supervision	Split-Sentence Supervisions	Inter-State Accepted	Intra-State Accepted	Supervision in Lieu of Prosecution	Judgment Withheld	Drug Court Supervision	Other (Specify)	Total Supervisions
L On Probation	0	0	0	0	0	0	0	0	0	0
M Intra-state Transferred Out	0	0	0	0	0	0	0	0	0	0
N Inter-state Transferred Out	0	0	0	0	0	0	0	0	0	0
O Other Supervisions (specify)	0	0	0	0	0	0	0	0	0	0
P Total (should equal line K)	0	0	0	0	0	0	0	0	0	0

### Part III, Line L: On Probation

This line represents the typical supervision that the probation department provides. A supervision that has unique aspects and is otherwise not described in Lines M or N would be recorded on Line O.

### Part III, Line M: Intra-State Transferred Out

Supervisions that have been transferred to another department within Indiana are reported on this line. Because the department may be required to maintain a file on the person for court reports or other purposes, the supervision will still be reported by the originating probation department as pending even if supervision is transferred to another probation department within Indiana. If the supervised person returns to the original sentencing jurisdiction after having been reported as Line M, Intrastate Transferred Out, the supervision status is changed to either Line L or Line O, depending on the type of supervision.

### Part III, Line N: Inter-State Transferred Out

Supervisions that have been transferred to another state are reported on this line. Because the department may be required to maintain a file on the person for court reports or other purposes, the supervision will still be reported by the originating probation department as pending even if supervision is transferred to another state.

Interstate transfers occur when the probation sentence involves special needs, available only in distinct jurisdictions, or the supervised person resides out of

state. If the supervised person returns to the original sentencing jurisdiction after having been reported as Line N, Interstate Transferred Out, the supervision status is changed to either Line L or Line O, depending on the type of supervision.

### Part III, Line O: Other Supervisions (specify)

A pending supervision that is otherwise not reported on Lines L, M or N would be recorded on Line O. If supervisions are reported on this line, they must be explained in the text box available at the bottom of every online probation reporting section in ICOR. Entries on this line include files where fees remain unpaid, or restitution is still outstanding.

### Part III, Line P: Total - Should equal line K under Part II

ICOR will automatically add lines L through O for you. The numbers on Line P should equal the numbers on Line K because Part III of the report is simply a more detailed description the pending supervisions that are reported on Line K.

### Part IV — General - Additional Information

This Part relates to additional information regarding the assigned supervisions, regarding supervision levels, substance abuse disruptions and diversion programs. All questions in Part IV must be filled out in order to submit a final report.

PAR	T IV: General			
	r department completes both the adult felony report and the adult misden ne of the reports.	neanor repo	ort, please ansv	ver questions 1-5 on
1.	What is the total number of felons or misdemeanants under probatic reporting period: (List Highest Classification)	n supervisio	on with your de	epartment at the end of the
		Felons		0
		Misdemea	anants	0
2.	Of the people reported in question 1, how many were placed in the	_	orkload catego	ries/supervision levels?
	A	High		0
	В	Medium		0
	C	Low		0
	D	Administr	rative	0
	E	Total		0
3.	How many other people did you have at the end of the reporting period to for administrative purposes? (These are in addition to the people reported Example: an offender has been released from probation but the file is most feet.)	d in questio	n 1 above.	0

If your department completes both the Adult Felony and the Adult Misdemeanor Reports, Questions 1- 5 should be answered on only one of the reports. The system will ask the preparer to provide the following information:

### Question 1, Total number of felons or misdemeanants under probation supervision with your department at end of reporting period

This number reflects the actual number of people (not cases) on probation at the end of the period. If you are supervising a person for a felony, but also supervising that person for a misdemeanor, count that person only in the felony category; do not count that person again as a misdemeanant.

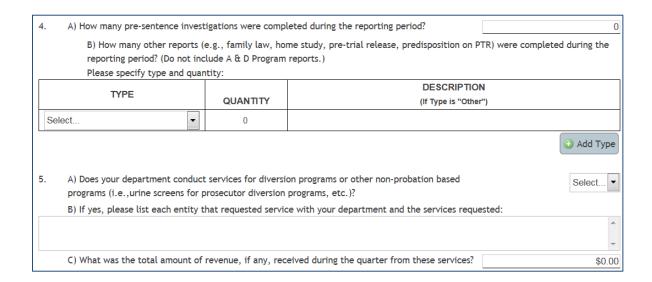
### **Question 2, Probation Supervision Workload**

These numbers represent the workload categories/supervisions levels of the persons listed under probation supervision in Question 1. All probation

departments must complete workload measures as required by Probation Standard 4.5. An important part of the workload measures formula is the number of high, medium, low and administrative supervisions each probation department handles. The numbers from the workload categories/supervision levels are used in the workload formula to determine the number of probation officers needed to meet a department's minimum standards. This question must be filled out completely in order to submit a final report. Line E, Total, is automatically tallied and updated by ICOR. Line E should be equal to the number of felons and the number of misdemeanants listed in Question 1 (Offenders who do not yet have a supervision level should be counted as "administrative" for statistical purposes only. The offender's actual supervision level will be captured in the next reporting period.)

### Question 3, Other Adults Being Monitored at the End of the Reporting Period

These are in addition to question 1 above. This includes other people you have at the end of the reporting period that you are monitoring for administrative purposes. Example: an offender has been released from probation but the file is monitored for collection of fees.



### **Question 4, Pre-Sentence Investigations**

A. If a probation department receives an order from a court to conduct a presentence investigation and conducts the investigation during the reporting period, it must be reported here. All courts about to sentence on Classes A,

B and C Felony convictions as well as felony levels 1, 2, 3, 4 and 5 will order a pre-sentence investigation. A court may also order a pre-sentence investigation for a Class D or Level 6 felony conviction, but rarely orders one for a misdemeanor. However, if the pre-sentence investigation is waived on a Class D or Level 6 felony and the defendant is later committed to a Community Corrections program or the DOC, the "equivalent" of a presentence investigation is required, which is called the Face sheet for DOC Commitment in the pre-sentence investigation application of INcite. Because of lack of resources, the probation departments do not need to conduct pre-sentence investigations unless ordered by the court.

B. Many probation departments are asked to conduct other reports for the court system, including home studies, pre-trial release recommendations, family law evaluations and predispositions on Petitions to Revoke probation. To the extent the department created any additional reports, identify the type of report and the number of each in the space provided.

### **Question 5, Provision of Services for Outside Programs**

If a probation department contracts to provide services for various programs, the department should indicate so in this question, list the entity(ies) in the free form text field and any revenue received from the services provided (dollar value). The purpose of the question is to determine how many probation departments provide contractual services to outside entities (examples: urine screens for prosecutor diversion programs, criminal history check for other departments, substance abuse education or "thinking for a change" taught to non-probationers, alcohol education, defensive driving class, et cetera). Also included as some of the services potentially provided by the probation department are community corrections programs associated with the department, where the person is not on probation but only on home detention or work release, yet the department monitors the person during the relevant time period.

6.	Of the supervisions received this quarter (Line B, Column 10), how many were convicted of a substance abuse offense as defined in the Instruction Manual?	0
7.	Of the supervisions received this quarter (Line B, Column 10), how many were convicted of a sex offense as defined in the Instruction Manual?	0

### **Question 6, Substance Abuse Offense Supervisions**

From the total number of supervisions received during the reporting period (Part I, Line B, Column 10), the probation department will report how many were based on substance abuse convictions or charges. Below is a list of the substance abuse offenses (list is comprehensive but may not be exhaustive); if a supervision relates to an offense not listed but involves substance abuse, include the supervision here.

- Attempt or Conspiracy to: deal, possess, deliver, manufacture drugs: methamphetamine, controlled substance, cocaine, marijuana, legend drug
- Dealing in a Schedule I, II, III, IV or V Controlled Substance: Cocaine, Marijuana, Hash Oil or Hashish, Legend Drug
- Dealing in a Substance Represented to be a Controlled Substance
- Dealing/Possessing a Look-alike Substance
- Dealing in a Counterfeit Substance
- Furnishing alcohol to a minor
- Possession/Consumption/Transportation of Alcohol by a Minor
- Maintaining/Visiting a Common Nuisance
- Entrance by a Minor in a Tavern
- Obtaining a Drug by Fraud: Legend or controlled substance
- All classifications of Impaired Driving offenses
- Possession of Controlled Substance, Cocaine, Legend Drug, Marijuana, Hash
   Oil or Hashish, Methamphetamine, Narcotic
- Possession of Paraphernalia, Precursors, Reagents and Syringes
- Dealing in Paraphernalia
- Prescription Fraud, Deceit, Forgery
- Public Intoxication
- Penalty for failure to pay tax
- Glue Sniffing

### Question 7, Number of supervisions convicted of a sex offense

From the total number of supervisions received during the reporting period (Part I, Line B, Column 10), the probation department will report how many were based on sex convictions or charges. Below is a list of sex offenses:

- Rape
- Criminal deviate conduct
- Child molesting
- Child exploitation
- Child seduction
- Sexual Misconduct with a Minor
- Incest
- Possession of Child pornography
- Vicarious sexual gratification; fondling in presence of minor
- Child solicitation
- Sexual battery
- Sexual trafficking of a minor
- Prostitution or Promoting Prostitution
- Attempt or Conspiracy to commit any of the above

### Question 8, Explanations for "Other" Categories in Parts I, II and III

When a probation department enters supervisions in Column 9, or Lines I or O, or both, please provide explanations in this free form text field at the end of every online section screen. One statement for each type of situation is sufficient.

### **JUVENILE PROBATION QUARTERLY REPORT**

### **Columns—Referral Categories**

Juv	Juvenile Probation (Part I) - Preliminary Inquiries					
PARTI (A): REFERRALS						
		1	2	3	4	
		Non-Status Delinquents	Status Delinquents	Other (Specify Below)	Total	
Α	Referrals Previously Pending	167	75	0	242	
В	New Referrals	0	0	0	0	
С	Total Referrals Before Probation Department (add lines A & B)	167	75	0	242	

The categories designated in Part I (A), Columns 1-3, are defined as follows:

### 1. Non-Status Delinquents

Juveniles referred to the probation department for an act that would be a crime if committed by an adult, pursuant to Indiana Code 31-37-1 et seq.

### 2. Status Delinquents

Under Indiana Code 31-37-2-1 et seq., juveniles referred to the probation department for acts that are delinquent acts due to their age, such as truancy, runaway, incorrigibility, curfew violation, and violations of Indiana Code 7.1-5-7 et seq. (concerning minors and alcoholic beverages).

#### 3. Other Referrals

Juveniles referred to the probation department under circumstances that are not reflected in the above definitions. If this category is used, the department should provide the reasons in the free form text field below Part I (B). A probation department may use this column when a report regarding a juvenile is directed to a probation office for information only, or the report does not rise to the level of an offense, whether status or non-status. The department should reflect all referrals directed to the department but sometimes they do not represent offenses that can be prosecuted or otherwise disposed.

Prior to 2008, juveniles referred to the probation department who are defined as Children in Need of Services (CHINS) under Indiana Code 31-34-1-1 et seq. were reported in a separate column. CHINS referrals are now recorded under the "Other" category. If a juvenile has been determined to be in need of services and also has committed an offense or a report has been referred to the probation department regarding the juvenile, the probation department should report the referral under this category. In addition to the preliminary inquiry, the probation department may be able to discuss the issues with a social worker or other person assigned to the case to determine the best remedies the department can offer the juvenile.

### Part I (A)—Referrals

PAI	PART I (A): REFERRALS						
Α	Referrals Previously Pending						
В	New Referrals						
С	Total Referrals Before Probation Department (add lines A & B)						

What is a 'Referral" and who makes it?

A probation department includes in the referral category any allegation of juvenile misconduct, whether it stems from the police, parents, school, commercial businesses or other adults. Examples of referrals can be police reports of juvenile misconduct, complaint of incorrigibility by a parent, report from a school as to truancy or misconduct by the juvenile, allegation by a neighbor regarding misconduct by the juvenile, or a report from a retail store regarding shoplifting allegations. If an allegation triggers some action by the department, whether the department determines it is credible or prosecutable, the report is counted under referrals.

Generally the probation department receives the report but in some counties, the prosecutor receives the report and forwards it to the appropriate probation department. As discussed above, the referral is categorized based on the type of allegation alleged, i.e. non-status offense, status offense or other.

### Part I, Line A: Referrals Previously Pending

The number of referrals pending at the end of the previous quarter should be entered on Line A, "Referrals Previously Pending."

For the first quarter of each year Line A will reflect the number of referrals pending at the close of the 4th Quarter of the previous year (found on Line J of the report) or, if you have done a hand count of your files, you may enter the results of your hand count. The first quarter is the only time that Line A will be available for manual adjustment of previously pending totals.

For the 2nd Quarter, the ICOR application will automatically carry forward the number of referrals that are pending at the end of the 1st Quarter (Line K) to automatically fill in Line A for you on the report for the 2nd Quarter. This same process will take place for your 3rd and 4th Quarter reports.

#### Part I, Line B: New Referrals

Enter referrals received by the probation department during the reporting period.

### Part I, Line C: Total Referrals Before Probation Department

You do not need to do anything here. ICOR automatically tallies and updates the pending and new referrals on Line C, "Total Referrals Before Probation Department."

### Part I (B)—Disposition of Referrals

PART I (B): DISPOSITION OF REFERRALS

		1	2	3	4
D	Preliminary Inquiry With Recommendation to File Petition	2	0	0	2
E	Preliminary Inquiry With Recommendation to File Petition and refer for assessment by the dual status assessment team	3	0	0	3
F	Preliminary Inquiry With Recommendation for Informal Adjustment	2	0	0	2
G	Preliminary Inquiry With Recommendation for Informal Adjustment and refer for assessment by the dual status assessment team	9	0	0	9
н	Preliminary Inquiry With Recommendation to Refer to Another Agency or County	0	0	0	B
ı	Preliminary Inquiry With Recommendation to Dismiss	3	2	0	5
J	Preliminary Inquiry With Recommendation for Waiver	0	0	0	0
K	Other Disposition of Referral (specify below)	0	0	0	0
L	Total Referrals Disposed (add lines D through K)	19	2	0	21
М	Referrals Pending (line C minus line L)	8	2	0	10

When a referral is filed with a probation department, the department reviews the referral to determine if it should make a recommendation to the prosecutor to file a Petition, recommend dismissal, or other disposition. Probation Departments should conduct preliminary inquiries on all referrals filed with the department. Sometimes the department will receive multiple referrals for the same juvenile. Each referral receives its own disposition, regardless of whether collectively they are considered in one inquiry and then prompt the department to recommend a Petition be filed. The following are the different disposition types for referrals:

### Part I, Line D: Preliminary Inquiry with Recommendation to File Petition

If the department determines that the prosecutor should file a Petition with the court for the offense alleged, the referral is disposed on Line D, under the same category that it was reported, regardless of whether the recommended petition will allege a status or non-status offense.

Part I, Line E: Preliminary Inquiry with Recommendation to refer for assessment by dual status assessment team. NOTE: this is a new disposition effective July 1, 2015

Use this line if the department determines that a recommendation to refer for assessment by a dual status assessment team. Dual status is defined in IC 31-41-1- as:

- (1) a child who is alleged to be or is presently adjudicated to be a child in need of services under IC 31-34-10 or IC 31-34-11 and is alleged to be or is presently adjudicated to be a delinquent child under IC 31-37-12 or IC 31-37-13;
- (2) a child who is presently named in an informal adjustment under IC 31-34-8 and who is adjudicated a delinquent child under IC 31-37-12 or IC 31-37-13;
- (3) a child who is presently named in an informal adjustment under IC 31-37-9 and who is adjudicated to be a child in need of services under IC 31-34-10 or IC 31-34-11;
- (4) a child who:
  - (A) has been previously adjudicated to be a child in need of services under IC 31-34-10 or IC 31-34-11; or
  - (B) was a participant in a program of informal adjustment under IC 31-34-8; and who was under a wardship that had been terminated or was in a program of informal adjustment that had concluded before the current delinquency petition;
- (5) a child who was
  - (A) previously adjudicated to be a delinquent child under IC 31-37-12 or IC 31-37-13 that was closed; and
- (B) a participant in a program of informal adjustment under IC 31-37-9 which was concluded prior to a child in need of services proceeding; and (6) a child:
  - (A) who is eligible for release from commitment of the department of correction;
  - (B) whose parent, guardian, or custodian:
    - (i) cannot be located; or
    - (ii) is unwilling to take custody of the child; and
- (C) for whom the department of correction is requesting a modification of the dispositional decree under IC 31-30-2-4.

### Part I, Line F: Preliminary Inquiry with Recommendation for Informal Adjustment

An informal adjustment is essentially a contract between the juvenile, the court and the probation officer for a period of time, giving the juvenile an opportunity to adjust his or her behavior, rather than be charged with an offense. This tool is used in lieu of prosecution. The disposition is not an adjudication, does not require court costs to be paid, and does not require the juvenile to admit any wrongdoing.

Informal adjustments are advised when the state has probable cause to file a petition but the juvenile is better off receiving an opportunity to correct his or her actions. Frequently, the juvenile is normally a good child, but made a poor decision, at the wrong time, in the wrong place. The decision carries consequences, but an informal adjustment is more likely to remedy the situation than the prosecutor pursuing a case.

Informal adjustments can be for as long as six months, with an option to extend the time for another three months.

# Part I, Line G: Preliminary Inquiry with Recommendation to Informal Adjustment and refer for an assessment by the dual status assessment team. NOTE: this is a new disposition effective July 1, 2015

Use this line for all recommendations for informal adjustments and a referral for assessment by dual status team. See above for definition of dual status.

### Part I, Line H: Preliminary Inquiry with Recommendation to Refer to Another Agency or County

Sometimes the department will receive a report alleging an issue that is better resolved by another county or agency, whether private or government funded. If the juvenile gets into mischief in your county, but he lives in another county, it may be more appropriate to recommend that the matter be handled in the juvenile's home county. If so, that would be reported on Line F. Likewise, if the department determines that the best resolution for the juvenile is to have the issue resolved by another agency, the department should dispose the referral on Line F. A probation department may refer cases to a variety of agencies including mental health or psychological facilities/agencies, school educational testing agency, community services agency.

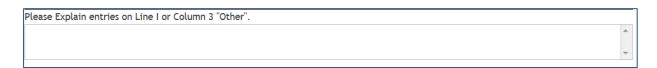
### Part I, Line I: Preliminary Inquiry With Recommendation to Dismiss

The probation department should use Line I to dispose referrals that should be dismissed. Sometimes the referral alleged a legitimate offense or difficulty but by the time the inquiry is conducted, the issue has been resolved. An example is

when a department receives a report from the school that a juvenile has been truant. When the department conducts its inquiry, the juvenile has already moved to his father's home and is enrolled in his new school. That referral would be disposed on Line I. The key is that if the preliminary inquiry is conducted and the department determines that the issue alleged is resolved, the referral should be dismissed.

### Part I, Line J: Preliminary Inquiry with Recommendation for Waiver

Enter the referral in Line J if the department not only recommends that the prosecutor file a Petition with the court for the offense alleged, but also makes a recommendation that jurisdiction of the case be waived to a court that would have jurisdiction had the act been committed by an adult.



### Part I, Line K: Other Disposition of Referral

The probation department uses Line K when a referral is disposed but the reason is not reflected in Lines D through J. Examples include a determination that the referral does not rise to the level of prosecutable offense, or the juvenile is already on probation, so the department will not benefit from conducting a preliminary inquiry, or the juvenile is warned by the department but released with conditions. When a department uses Line K, please provide an explanation for each reason in the free text field shown below every online screen section. If the department disposed of 5 referrals due to warning and release, one explanation is satisfactory. The free form text gives the Division an opportunity to examine whether more disposition types should be added to the report.

### Part I, Line L: Total Referrals Disposed

You do not need to do anything here. ICOR will automatically calculate the number of dispositions reported for each category, Lines D through K.

### Part I, Line M: Referrals Pending

ICOR automatically subtracts Line L from Line C in Part I. The numbers in Line M will be the number of referrals that are pending at the end of the reporting period. ICOR will automatically carry forward the numbers from Line M to Line A of your next quarter's report for the year.

### **Part II—Supervisions**

If a probation department has received a referral, conducted a preliminary inquiry, and the juvenile has been given an informal adjustment, the probation department will supervise the juvenile and report these supervisions in either Column 3 (Non-status Delinquents) or Column 4 (Status Delinquents).

If the preliminary inquiry led to a prosecutor filing a petition and the court orders supervision, the probation department will receive the juvenile as a supervision and report these supervisions as Post-Adjudication supervisions, in either Column 1 or 2.

PA	PART II: SUPERVISIONS										
		1	2	3	4	5	6	7	8		
		Post-Adjudication		Informal Adjustment							
		Non-Status Delinquents	Status Delinquents	Non-Status Delinquents	Status Delinquents	Intrastate Accepted	Interstate Accepted	Other (Specify)	Total Supervisions		
Α	Supervisions Previously Pending	128	13	15	5	0	0	0	161		
В	Supervisions Received	0	0	0	0	0	0	0	0		
С	Supervisions Re-opened	0	0	0	0	0	0	0	0		
D	Total Supervisions Before You (add lines A through C)	128	13	15	5	0	0	0	161		

### Part II, Line A: Supervisions Previously Pending

Part II, Line A represents the supervisions previously pending in the probation department. For the first quarter of each year, Line A will reflect the number of supervisions pending at the close of the 4th Quarter of the previous year (found on Line M of the report) or, if you have done a hand count of your files, you may enter the results of your hand count. Only for the first quarter is Line A available for manual adjustments of totals.

For the 2nd Quarter, the ICOR application will automatically carry forward the number of supervisions that are pending at the end of the 1st Quarter (Line M of the report) to automatically fill in Part II, Line A for you on the report for the 2nd Quarter. This same process will take place for your 3rd and 4th Quarter reports.

### Part II, Line B: Supervisions Received

This line represents the number of new supervisions the probation department received for each category of juvenile during the reporting period.

### Part II, Line C: Supervisions Re-opened

Enter a supervision that had previously been reported as closed or inactive but the department has now resumed active supervision. For example, if the probationer had absconded, but he has now returned to your supervision, that should be reported on this line. Since 2008 interstate and intrastate transfers out are no longer considered inactive, if a probationer transferred out in one quarter but in a later quarter returned, you would not enter that supervision on this line since his supervision would already have been counted on Line A as a supervision previously pending.

### Part II. Line D—Total Supervisions Before You

ICOR will automatically tally and update the total supervisions before the probation department on Part II, Line D.

### **Columns—Supervision Categories**

	1	2	3	4	5	6	7	8
Г	Post-Adji	udication	Informal Adjustment					
Г	Non-Status	Status	Non-Status	Status	Intrastate	Interstate		Total
Т	Delinquents	Delinquents	Delinquents	Delinquents	Accepted	Accepted	Other (Specify)	Supervisions

The types of supervision listed in Columns 1-7, Parts II, III, and IV are defined as follows:

### 1. Post-Adjudication Non-Status Delinquents

Juveniles who are ordered under supervision for non-status offenses, as a result of a formal court disposition.

### 2. Post-Adjudication Status Delinquents

Juveniles who are ordered under supervision for status offenses, as a result of a formal court disposition.

### 3. Informal Adjustment Non-Status Delinquents

Juveniles who are ordered under supervision for a non-status offense, as a result of an informal adjustment.

### 4. Informal Adjustment Status Delinquents

Juveniles who are ordered under supervision for status offenses, as a result of an informal adjustment.

### 5. Intra State Accepted Supervision

Juveniles accepted under supervision from other courts within Indiana. Generally, the resident county uses this category when the juvenile and/or the family reside in a different county than where the sentence was issued and the original probation department has requested courtesy supervision.

### 6. Interstate Accepted Supervision

Juveniles accepted under supervision from outside Indiana. Generally this category is used when the receiving probation department provides services for special needs juveniles. Transfer to another state is very expensive, and most probation departments must seek permission to do so.

### 7. Other Supervisions

Juveniles ordered to be supervised under circumstances not reflected in Columns 1-6 above. CHINS supervisions should be entered in this column. NOTE: If a probation department reports supervisions in this category, it must provide an explanation for those juveniles in the text box available on every online screen for each type of juvenile reported.

### 8. Total Supervisions

ICOR will automatically add up the total supervisions for each Line entry provided in Parts II, III and IV.

### Part III—Closed and Inactive Supervisions

PΔ	RT III: CLOSED AND INACTIVE	SUPERV	/ISIONS						
		1	2	3	4	5	6	7	8
		Post-Adjudication		Informal Adjustment					
		Non-Status Delinquents	Status Delinquents	Non-Status Delinquents	Status Delinquents	Intrastate Accepted	Interstate Accepted	Other (Specify)	Total Supervisions
Е	Discharged (Closed Supervisions)	0	0	0	0	0	0	0	0
F	Modified & Committed to Correctional Facility (DOC) (Technical Violation)	0	0	0	0	0	0	0	0
G	Modified & Committed to Correctional Facility (DOC) (New Offense)	0	0	0	0	0	0	0	0
Н	Other Closed Supervisions (specify)	0	0	0	0	0	0	0	0
ı	Removed from Supervision Because of New Offense	0	0	0	0	0	0	0	0
J	Absconded	0	0	0	0	0	0	0	0
K	Other (specify below)	0	0	0	0	0	0	0	0
L	Total Closed/Inactive Supervisions (add lines E through K)	0	0	0	0	0	0	0	0
М	Supervisions Pending (line D minus line L)	128	13	15	5	0	0	0	161

When a juvenile is released from supervision, the type of disposition must be reflected under the appropriate supervision category. Prior to 2008, if a probation supervision was transferred to another state (interstate transfer-out) or to another county in Indiana (intrastate transfer-out), the supervision was reported as inactive. However, since 2008 those transfer-out supervisions are now considered pending. The types of dispositions are defined as follows:

### Part III, Line E: Discharged (Closed Probation)

When a juvenile has successfully completed his or her probation, the supervision is disposed on Line E. Also reported on Line E are the supervisions where probation has been revoked due to a litany of technical violations. The probation department will petition for a modification of the probation and the original supervision will be discharged.

### Part III, Line F: Modified and Committed to Correctional Facility (Technical Violation)

Line F is used when a juvenile is removed from probation due to a revocation and subsequent commitment to a correctional facility for technical violations of the conditions of probation. A technical violation is any violation of a condition of probation other than commission of an offense. A correctional facility may include any facility through the Department of Correction or any detention

facility. Entries on Line F should be differentiated from entries on Line G, where probation has been revoked due to adjudication for a new offense and the juvenile is committed to a correctional facility. Example: a juvenile on probation continues to test positive for marijuana, which is a violation of the conditions of probation. The Judge may execute the juvenile's sentence and send the juvenile to the Department of Correction. The probation office would have petitioned to modify the probation due to the rule violation (drug test) and the Judge modified the sentence to include commitment time.

### Part III, Line G: Modified & Committed to Correctional Facility (New Offense)

Use Line G when a juvenile is removed from probation due to a revocation and subsequent commitment to a correctional facility due to a new offense. If the revocation resulted from a new offense and a technical violation, only the new offense (Line G) should be counted.

### Part III, Line H: Other Closed Supervisions

The probation department should report supervisions that have been closed or inactivated, under any circumstances not reported in Lines E through G. If a probation department reports supervisions in this category, it must provide explanation for those juveniles in the text box at the bottom of each online section screen for each type of juvenile reported. Examples: the juvenile: (1) dies; (2) has been released due to a court order of emancipation prior to age 18.

### Part III, Line I: Removed from Supervision Because of New Offense

The probation department should report supervisions that have been inactivated due to a petition for modification of probation prompted by a referral to the department that the juvenile has committed a new offense. Line I entries differ from the other modifications because the department has received a referral and recommended a petition be filed or a modification of the original probation, rather than discovering the violations through its own supervision. The department will presumably be reassigned the juvenile for supervision at some point, due to the new offense, but the file must be inactivated until such time as the court has ordered a renewed supervision.

### Part III, Line J: Absconded

The probation department should report supervisions that are inactive because the juvenile has fled the jurisdiction. Sometimes the juvenile has left the jurisdiction due to a family move, or on his or her own volition. The department does not need to distinguish between the reasons the juvenile has left the jurisdiction, but should inactivate the file pending discovery of the juvenile and possible return to probation supervision. If the juvenile returns to the probation department, the supervision is reopened on Line C in Part II.

### Part III, Line K: Other

The probation department should report supervisions that have been inactivated due to circumstances not reflected above. If the department reports supervisions inactivated on this Line, it should provide the explanations in the text box provided at the bottom of each online section screen. Example of when to use Line K: the parents or whole family have moved and the department does not know where they are.

### Part III, Line L: Total Closed/Inactive Supervisions

ICOR will automatically calculate the totals of closed and inactive supervisions for each supervision category, adding Lines E through K.

### Part III, Line M: Supervisions Pending

ICOR will automatically deduct the total closed and inactive supervisions from the total pending, received and re-opened supervisions and will enter the numbers on this line for you.

### **Part IV: Status of Pending Supervisions**

This section of the Report provides greater detail on how the open supervisions reported in Part II are being handled by the probation department.

		1	2	3	4	5	6	7	8
		Post-Adjudication		Informal Adjustment					
		Non-Status Delinquents	Status Delinquents	Non-Status Delinquents	Status Delinquents	Intrastate Accepted	Interstate Accepted	Other (Specify)	Total Supervisions
N	On Probation	0	0	0	0	0	0	0	0
0	Modified & Placed in an In-state Residential Facility (Technical Violation)	0	0	0	0	0	0	0	0
Р	Modified & Placed in an In-state Residential Facility (New Offense)	0	0	0	0	0	0	0	0
Q	Modified & Placed in an Out-of-state Residential Facility (Technical Violation)	0	0	0	0	0	0	0	0
R	Modified & Placed in an Out-of-state Residential Facility (New Offense)	0	0	0	0	0	0	0	0
S	Placed in Community Transition Program (Actively Providing Services)	0	0	0	0	0	0	0	0
Т	Intrastate Transferred Out	0	0	0	0	0	0	0	0
U	Interstate Transferred Out	0	0	0	0	0	0	0	0
V	Other (specify below)	0	0	0	0	0	0	0	0
w	Total Status (should equal line M)	0	0	0	0	0	0	0	0

### Part IV, Line N: On Probation

This line represents the typical supervision that the probation department provides for a probationer. A supervision that has unique aspects and is otherwise not described in Lines O-U would be recorded on Line V.

### Part IV, Line O: Modified & Placed in an In-State, Residential Facility (Technical Violation)

When the juvenile's probation has been modified by the court based on a technical violation (any violation other than commission of an offense), and the juvenile is subsequently placed in a residential facility located within the state of Indiana, the supervision should be reported on this line. This category does not include those juveniles who are placed in a non-correctional facility on an original charge. Example: A juvenile committed a technical violation while on probation and the probation department files a petition to modify the probation. The judge determines that the juvenile should be placed in a non-correctional facility, such as juvenile detention in Indiana. The juvenile is not considered incarcerated. Because the probation office continues to report to the court on the juvenile's progress in the facility, the file is not closed. If placement in the facility was prior to the probation, the supervision is not counted on this line because the placement was not due to a modification sought by the probation department.

### Part IV, Line P: Modified & Placed in an In-State Residential Facility (New Offense)

When the juvenile's probation has been modified by the court based on a new offense, and the juvenile is subsequently placed in an in-state, residential facility, the supervision should be reported on this line. This category does not include those juveniles who are placed in a non-correctional facility on an original charge. Example: While on probation, a juvenile committed an act that would be a crime if committed by an adult and the probation department files a petition to modify the probation. The judge determines that the juvenile should be placed in a non-correctional facility, such as juvenile detention in Indiana. The juvenile is not considered incarcerated. Because the probation office continues to report to the court on the juvenile's progress in the facility, the file is not closed. If placement in the facility was prior to the probation, the supervision is not counted on this line because the placement was not due to a modification sought by the probation department.

### Part IV, Line Q: Modified & Placed in an out-of-state, Residential Facility (Technical Violation)

The probation department should report the supervisions in which the terms of probation have been modified by the judge to place the juvenile in a residential facility outside the state of Indiana on this line. The only difference between Lines O and Q relates to where the residential facility is located. Many special needs juveniles are placed in out-of-state facilities to promote their rehabilitation. As with Line O entries, the probation department continues to monitor the juvenile while in the facility, to report on educational, medical, familial issues as well as work on the transition plans for the juveniles when they are released from detention.

### Part IV, Line R: Modified & Placed in an Out-of-State Residential Facility (New Offense)

When the juvenile's probation has been modified by the court based on a new offense, and the juvenile is subsequently placed in a residential facility located outside the state of Indiana, the supervision should be reported on this line. The only difference between Lines P and R relates to where the residential facility is located.

### Part IV, Line S: Placed in Community Transition Program

Many probation departments coordinate their work with the Community Transition Programs in their counties. If the department provides services when a juvenile is placed in a community transition program, include the supervision on this line in the appropriate column. If your supervisee is placed in a community transition program but you do not provide any services, the supervision should be disposed of in Part III rather than considered open and active.

### Part IV, Line T: Intrastate Transferred Out

Supervisions that have been transferred to another department within Indiana are reported on this line. Because the department may be required to maintain a file on the juvenile for court reports or other purposes, the supervision will still be reported by the originating probation department as pending even if supervision is transferred to another probation department within Indiana.

### Part IV, Line U: Interstate Transferred Out

Supervisions that have been transferred to another state are reported on this line. Because the department may be required to maintain a file on the juvenile for court reports or other purposes, the supervision will still be reported by the originating probation department as pending even if supervision is transferred to another state.

### Part IV, Line V: Other

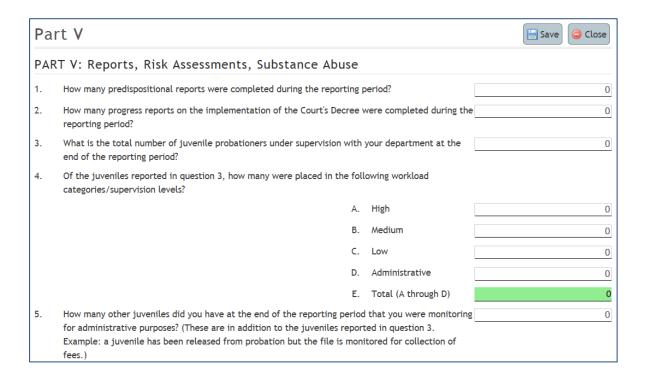
A pending supervision that is otherwise not reported on Lines O-U would be recorded on Line V. If supervisions are reported on this line, they must be explained in the text box found at the bottom of every online section screen.



### Part IV, Line W: Total Status

ICOR will automatically total up the various status types (Lines N-V). Because Part IV of the report is a more detailed description of the probation supervisions that are pending, Line W must equal Line M.

### Part V—Reports, Supervision workload, Substance Abuse



Part V asks for specific information related to the referrals and supervisions before the probation office for the reporting period. The following information is requested:

### **Question 1, Predispositional Reports**

The probation department should indicate the total number of predispositional reports completed during the quarter, including all reports filed after a petition has been filed with the court. These are similar to pre-sentencing reports ordered by the Judge in adult probation cases.

### **Question 2, Progress Reports**

The probation department should indicate the total number of progress reports completed. A progress report is defined as any written report filed with the court or the probation office subsequent to adjudication. Reports may be completed by the probation department, counselors, detention facilities, or other interested persons.

### **Question 3, Number of Probationers**

The matrix Parts I through IV report on the numbers of supervisions. Question 3 in this section focuses on the number of juveniles (not cases) under your supervision. The number may or may not be equal to the number of supervisions pending at the end of the reporting period.

### **Question 4, Probation Supervision Workload**

These numbers represent the workload categories/supervision levels of the juveniles listed under probation supervision in Question 3. This question must be filled out completely in order to submit a final report. Line E, Total, is automatically tallied and updated by ICOR. Line E should be identical to the value of Part III, Line M, Column 8. (Juveniles who do not yet have a supervision level should be counted as "administrative" for statistical purposes only. The juvenile's actual supervision level will be captured in the next reporting period.)

### Question 5, Other Juveniles Being Monitored at the End of the Reporting Period

Count the number of juveniles you have at the end of the reporting period that you were monitoring for administrative purposes. These are in addition to the juveniles reported in Question 3. (Example: a juvenile has been released from probation but the file is monitored for collection of fees.)

Of the supervisions received this quarter (Part II, Line B, Column 8), how many were convicted of a substance abuse offense as defined in the instruction manual?

Of the supervisions received this quarter (Part II, Line B, Column 8), how many were convicted of a sex offense as defined in the instruction manual?

### **Question 6, Substance Abuse Offense**

Even though the question refers to "conviction," the probation department should report all supervisions that involve substance abuse, including informal adjustments, received during the reporting period (Part II, Line B, Column 8). The list of substance abuse offenses provided above for the Adult Probation forms applies to this question as well.

### **Question 7, Sex Offense**

From the total number of supervisions received during the reporting period (Line B, Column 8), the probation department will report how many supervisions were based on adjudications for sex offenses. The list of sex offenses provided above for the Adult Probation forms applies to this question as well.

### Question 8, Other

Explain entries for any "Other" category. Explanation boxes appear on every online ICOR screen for this purpose.